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FAX REFERENCE NUMBER: AT-040RA

DATE: May 12, 2006

TO: COMMISSIONER FOR PATENTS
ATTN.: EXAMINER John H. Le

Technology Center: 2800
Art Unit: 2863

FAX NUMBER SENDING TO: (571) 273-8300 (Central Fax No.)

FROM: J. Michael Johnson
Reg. No. 37,856
Agent for Applicant

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NUMBER OF PAGES: 16
(Including this page)

SUBJECT: OFFICIAL REPLY/AMENDMENT responsive to
SUPPLEMENTAL EXAMINER'S ANSWER dated
03/22/2006 for SN: 10/053,748

MESSAGE

To Whom It May Concern:

Received by US Patent and Trademark Office:

Official Appellant's Reply/Amendment under 37 CFR 1.111 (13 pages)
with Cert. of Fax Transmission on pg. 13; and
Transmittal of Reply/Amendment (1 page, 2 copies) with Cert. of Fax Trans.

For Patent Application of:

Lee A. Barford

Serial Number: 10/053,748

Filed: Jan. 18, 2002

Entitled: "Revising a Test Suite using Diagnostic Efficacy Evaluation"

From: J. Michael Johnson, Reg. No. 37,856

(for Ian Hardcastle, Esq., Reg. No. 34,075, Agilent Technologies, Inc.)

Attorney Docket No.: 10980101-1

Dated: May 12, 2006

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence and the documents listed above are being facsimile transmitted to the United States Patent and Trademark Office.


J. Michael Johnson

5/12/06
Date

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CENTRAL FAX CENTERAGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599

MAY 12 2006

ATTORNEY DOCKET NO. 10980101-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Lee A. Barford

Serial No.: 10/053,748

Examiner: John H. Le

Filing Date: January 18, 2002

Group Art Unit: 2863

Title: Revising a Test Suite Using Efficacy Evaluation

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment ☐ Petition to extend time to respond
☐ New fee as calculated below ☐ Supplemental Declaration
☒ No additional fee (Address envelope to "Mail Stop Amendments")
☐ Other: (Fee \$ _____)

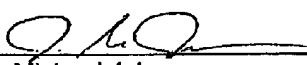
CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	30	MINUS	38	= 0	X 50	\$ 0
INDEP. CLAIMS	5	MINUS	3	= 2	X 200	\$ 400
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ 360	\$ 0
EXTENSION FEE	1 ST MONTH 120.00 <input type="checkbox"/>	2 ND MONTH 450.00 <input type="checkbox"/>	3 RD MONTH 1020.00 <input type="checkbox"/>	4 TH MONTH 1590.00 <input type="checkbox"/>		\$ 0
OTHER FEES						\$ 0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 400

Charge \$ 400 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Lee A. Barford

By


J. Michael Johnson
Attorney/Agent for Applicant(s)

I hereby certify that this paper is being facsimile
transmitted to the Patent and Trademark Office on
the date shown below:

Date of facsimile: May 12, 2006

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AGILENT TECHNOLOGIES, INC.
Legal Department, M/S DL429
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P. O. Box 7599
Loveland, CO 80537-0599

PATENT APPLICATION
ATTORNEY DOCKET NO. 10980101-1

REPLY/AMENDMENT dated May 12, 2006

OFFICIAL

Appl. No. : 10/053,748
Applicant : Lee A. Barford
Filed : Jan. 18, 2002
TC/AU : 2800/2863
Examiner : John H. Le

Confirmation No. 5462

Docket No. : 10980101-1
Customer No. : 022878

Title : Revising a Test Suite Using
Efficacy Evaluation

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY/AMENDMENT under 37 CFR 1.111

Sir:

In response to the Supplemental Examiner's Answer mailed March 22, 2006, responsive to a remand by the Board of Appeals and Interferences for further consideration of a rejection under 37 CFR 41.50(a), Applicant files this Reply/Amendment under 37 CFR 41.50(a)(2)(i) in compliance with 37 CFR 1.111 for consideration, in lieu of a reply brief to maintain appeal under 37 CFR 41.50(a)(2)(ii). Please reopen prosecution and amend the above-identified application as follows.

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks/Arguments begin on page 11 of this paper.

A Certificate of Mailing or Transmission is provided on the last page of this document and applies to this document and any attachments thereto.

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